

January 9, 1976

CLERK: Mr. President, I move that LB 703 be referred to the Judiciary Committee. Signed Senator Schmit.

PRESIDENT: Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, I, like Senator Murphy, didn't think it could ever result in such a Donnybrook. I protested sending the issue to the floor because I was conscious of what would happen. If nine members can't agree, certainly 49 can't. I would like to suggest at this time, I still think my arguments are valid but I want to suggest that perhaps I should withdraw that motion, and Senator Cavanaugh has a motion which follows it, and in the interest of trying to expedite the issue, I suppose I will support the motion.

PRESIDENT: Then you are withdrawing your motion?

SENATOR SCHMIT: I ask permission to withdraw my motion, yes.

PRESIDENT: All right. Next motion, Mr. Clerk.

CLERK: Mr. President, the next one that I have is that the malpractice legislation be heard by the full Legislature. Signed Senator Koch.

PRESIDENT: Senator Koch.

SENATOR KOCH: Mr. President, I did this as tunneling sheep because there appears that there are a number of people in here that want credit for or undue credit for hearing malpractice. If we were to do this with all bills that all of us thought were significant as this, we would be involved in this engagement forever, and it is trivia and so is that amendment. I withdraw it.

PRESIDENT: Thank you.

CLERK: Mr. President, I move to refer LB 703 to the Public Health and Welfare Committee. Signed Senator Cavanaugh.

PRESIDENT: Senator Cavanaugh.

SENATOR CAVANAUGH: All right. I think that this is, we have finally gotten to the issue. I think that the only issue ever out before the Legislature was whether it should go to Health and Welfare or Banking and Insurance. This is what should be voted on by the majority. This is the only decision, legitimate decision to be made. I think the Health and Welfare Committee is able to render a fair hearing and would do a good job on malpractice and the members of the Committee have the experience to do it. I urge the adoption of the motion.

PRESIDENT: The question is the adoption of Senator Cavanaugh's amendment. Record your vote. Have you voted? Record. Record.

CLERK: 28 ayes, 7 nays, Mr. President.